

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Document #

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U.S.C.A. #

U.S.D.C. #

08-cv-2105

JUDGE:

KMW

DATE:

APRIL 16, 2008Hayward

-v-

Rice, et al

INDEX TO THE RECORD ON APPEAL

APR 16 2008

PREPARED BY (NAME): THOMAS R. PISARCZYK
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DISTRICT COURT DOCKET ENTRIES

DOCUMENT DESCRIPTION

DOC. #

CLERK'S CERTIFICATE

SEE ATTACHED LIST OF NUMBERED DOCUMENTS

☒ Original Record

☐ Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.
 for the Second Circuit on the 16th Day of April, 2008.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-v-

DATE: 4-16-2008

Clerk's Certificate

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 5, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

Document Description

In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 16th Day of April In this year of our Lord, Two Thousand and Eight, and the Independence of the United States this 232ND year.

By

Deputy Clerk

APPEAL, CLOSED, PRO-SE

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:08-cv-02105-KMW
Internal Use Only

Heyward v. Rice et al
Assigned to: Judge Kimba M. Wood
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 03/03/2008
Date Terminated: 03/03/2008
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Date Filed	#	Docket Text
03/03/2008	<u>1</u>	DECLARATION IN SUPPORT OF REQUEST TO PROCEED IN FORMA PAUPERIS. Document filed by Samuel James Heyward.(mbe) (Entered: 03/11/2008)
03/03/2008	<u>2</u>	COMPLAINT against Gail B. Rice, Jeanine Pirro, Joseph Abinanti, New York State Courts Department of Justice. Document filed by Samuel James Heyward.(mbe) (Entered: 03/11/2008)
03/03/2008		Magistrate Judge Kevin N. Fox is so designated. (mbe) (Entered: 03/11/2008)
03/03/2008	<u>3</u>	ORDER OF DISMISSAL. Plaintiff's request to proceed in forma pauperis is granted, but for the following reasons set forth below, the complaint is dismissed. According this pro se complaint the close and sympathetic reading to which it is entitled, plaintiff's allegations fail to state a 1983 claim on which relief may be granted and the complaint is therefore dismissed. The Court certifies pursuant to 28 U.S.C. 1915(a)(3) that any appeal from this order would not be taken in good faith. SO ORDERED. (Signed by Judge Kimba M. Wood on 3/3/2008) (mbe) (Entered: 03/11/2008)
03/03/2008	<u>4</u>	JUDGMENT. Ordered, Adjudged and Decreed: That the complaint be and is hereby dismissed. 28 U.S.C. 1915(c)(2). We certify pursuant to 28 U.S.C. 1915(a)(3) that any appeal from the Court's order will not be taken in good faith. (Signed by Judge Kimba M. Wood on 3/3/2008) (mbe) (Entered: 03/11/2008)
03/28/2008	<u>5</u>	NOTICE OF APPEAL from 4 Judgment - Sua Sponte (Complaint), 3 Order Dismissing Complaint (I.F.P.). Document filed by Samuel James Heyward. (tp) (Entered: 04/14/2008)
03/28/2008		Appeal Remark as to 5 Notice of Appeal filed by Samuel James Heyward. \$455.00 APPEAL FEE DUE. IFP REVOKED 3/3/08. (tp) (Entered: 04/14/2008)
04/14/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 5 Notice of Appeal. (tp) (Entered: 04/14/2008)
04/14/2008		Transmission of Notice of Appeal to the District Judge re: 5 Notice of Appeal. (tp) (Entered: 04/14/2008)